

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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SYLVIA JENKINS,

Plaintiff,

vs

5:06-CV-59

COMMISSIONER OF SOCIAL SECURITY,

Defendant.  
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APPEARANCES:

OF COUNSEL:

SYLVIA JENKINS  
Plaintiff, Pro Se  
114 Delaware Street  
Syracuse, New York 13202

HON. GLENN T. SUDDABY  
United States Attorney for the  
Northern District of New York  
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WILLIAM H. PEASE, ESQ.  
Assistant U.S. Attorney

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff brought this action challenging the denial of Social Security Disability Insurance benefits pursuant to 42 U.S.C. § 405(g). By Report-Recommendation dated February 26, 2007, the Honorable Randolph F. Treece, United States Magistrate Judge, recommended that defendant's motion to dismiss be granted and the action be dismissed for lack of subject matter jurisdiction. No objections have been filed.

Based upon a careful review of entire file and the recommendations of Magistrate Judge Treece, the Report-Recommendation is accepted in whole. See 28 U.S.C. 636(b)(1).

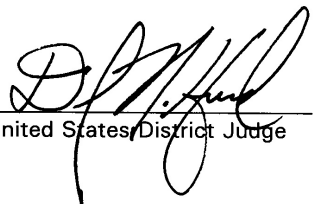
Accordingly, it is

ORDERED that

1. Defendant's motion to dismiss is GRANTED;
2. The complaint is DISMISSED in its entirety.

The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.



United States District Judge

Dated: March 29, 2007  
Utica, New York.